

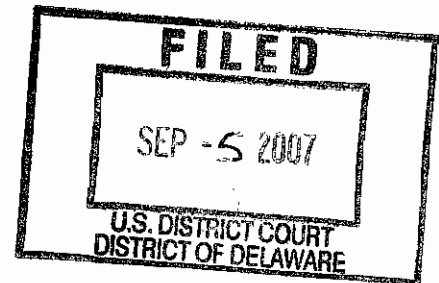
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EMANUEL JONES
Plaintiff

C.A. No. 06-674-SLR

v.

OFFICER NORRIS and NEW CASTLE
COUNTY POLICE DEPARTMENT,
Defendants.



MOTION TO APPOINT COUNSEL

NOW COMES, the Plaintiff, Emanuel Jones pro se, who respectfully request that this Court reconsider appointing counsel. In support of this motion the Plaintiff offers the following:

- (1) Problems have come up in the case that I can't handle. There are special circumstances indicating the likelihood of substantial prejudice to this plaintiff resulting from plaintiff's inability without assistance to present the facts and legal issues to the court in a complex but arguably meritorious case.
- (2) The amount of factual investigation the Plaintiff must pursue is impossible. Plaintiff is now incarcerated in the Plummer Correctional Center, with no access to legal aid or even the Federal Rules of Civil Procedure.

- (3) This motion is being done by a prisoner that is knowledgeable of the law but, have no access to a law library. There is none at all at this level of incarceration.
- (4) While incarcerated, I have lost access to one of the essential witnesses.
- (5) This case involves my medical and mental health, which frequently involve technical issues that I am unable to deal with adequately and may require an expert witness.
- (6) I have little general education (10th grade), and no legal education. I am having extreme difficulty in grasping the legal issues in this case and figuring out the officials who can properly be held liable. I am proceeding with a second request for discovery the best I can.
- (7) This case is especially difficult, since the facts are disputed and the neutral witnesses have not been contacted. These type cases cannot be won without the exercise of a high degree of trial skills based on a firm foundation of depositions and other pre-trial discovery and preparation that is beyond the abilities of this prose prisoner.

As one court put it, counsel can:

Explain the applicable legal principles to the complainant and limit litigation to potentially meritorious issues... In addition, appointment of a lawyer provides the unlettered inmate with an equally opportunity to... obtain representation equally qualified with the professional counsel usually provided by the state for the plaintiff.

Knighton v. Watkins 616 F.2d 795 799 (5th Cir 1980).

I have made reasonable efforts to retain counsel as was stated in my first motion. The decision to appoint counsel may be made by a district court sua sponte. Montgomery v. Pinchak 294 F.3d 492, 499 (3d Cir 2002).

REQUESTED RELIEF

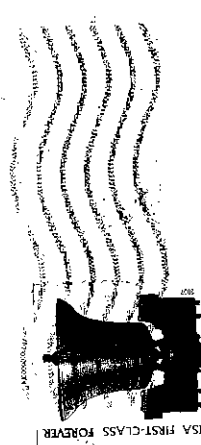
Plaintiff prays that your honor give the requested relief for appointment of counsel.

DATED: August 31, 2007

Respectfully
Emanuel Jones #557338
Plummer Center
38 Todds Lane
Wilmington, DE
19802

Emmanuel Jones #557338
Poumon Center
38 Todd Lane
Wilmington, DE
19802

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U.S. District Court
844 N. King Street Lock Box 18

Wilmington, DE 19801

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